IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(*Special Original Jurisdiction*)

THURSDAY, THE SIXTH DAY OF JULY
TWO THOUSAND AND SIX

P R E S E N T

THE HON'BLE SRI JUSTICE P.S. NARAYANA

* * *

WP.No.10960 of 2006

Between:

B.Chandraiah, s/o.Nagulappa,
Aged about 45 years, Sarpanch,
Usthikayalpenta village & post,
Yellavaripalem Mandal,
Chittoor district. **… Petitioner**

Versus

The District Panchayat Officer,
Chittoor, Chittor district & Ors. **… Respondents**

Counsel for the Petitioner: **M/s. S.Chakarapani**

Counsel for the Respondents: **GP for P Raj & Rural Dev.**

O R D E R :

The writ petition is filed for a writ of mandamus, declaring the action of the respondents as without jurisdiction and consequently declare that the final show cause notice dated 8-5-2005 and 20-3-2006 of the Divisional Panchayat Officer, Madanapalle, Chittoor district and other consequential orders passed are illegal, void, inoperative, against the principles of natural justice and set aside the same and further direct the District Panchayat Officer, Chittoor district to restore the cheque power of the petitioner and pass such other orders.

It is stated that in the ensuing elections the apprehension of the petitioner is that this may operate disqualification.

The learned Asst.Govt.Pleader for Panchayat Raj states that it is not a disqualification in the statute and the same is hereby recorded.

It is stated that on 18-1-2006 the petitioner had submitted an application to the District Panchayat Officer, the first respondent herein. It is his grievance that in spite of sufficient passage of time, no orders are being passed in this regard.

In the light of the same, the first respondent is hereby directed to pass

aappropriate orders taking into consideration the explanation submitted by the petitioner on 18-1-2006 as expeditiously as possible, preferably within a period of two weeks from the date of receipt of a copy of this order. The District Panchayat Officer is at liberty to get relevant records for verification in the event of the District Panchayat Officer deeming fit and proper in the facts and circumstances of the case inclusive of from respondent no.4.

The writ petition is accordingly disposed of at the admission stage. No orders as to costs.

July 6th, 2006. ----------

I s L. P . S . NARAYANA ,

J.